

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:13-CV-00153-MOC-DSC**

BOBBY RAY BOYER,)
)
Plaintiff,)
)
v.)
)
CAROLYN W. COLVIN,)
)
Defendant.)

THIS MATTER comes before the Court upon Plaintiff's "Application to Proceed In District Court Without Prepaying Fees or Costs" (document #2) filed March 11, 2013. By the instant Application, Plaintiff seeks to proceed on his Complaint without having to prepay the costs associated with bringing this action, and to have the U.S. Marshal perfect service on the Defendant. In support of this request, Plaintiff has submitted an Application which reflects that he and his household receive unemployment benefits and public assistance in the total amount of four hundred and fifty dollars (\$450) per month and have twenty dollars (\$20) in assets.

Accordingly, based on the foregoing representations, the Court finds that Plaintiff does not have sufficient resources from which to pay the filing fee for this action. Consequently, Plaintiff's Application will be granted.

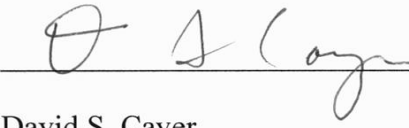
IT IS, THEREFORE, ORDERED that:

1. Plaintiff's "Application to Proceed In District Court Without Prepaying Fees or Costs" (document #2) is **GRANTED**.

2. The Clerk shall prepare process and deliver same to the U.S. Marshal. The U.S. Marshal shall serve process upon the Defendant as provided under the Federal Rules of Civil Procedure.

SO ORDERED.

Signed: March 12, 2013



David S. Cayer
United States Magistrate Judge 